

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**TYRONE K. GLENN,**  
**Plaintiff,**

**v.**

**JOSEPH MATALONI, et al.,**  
**Defendants**

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**No. 1:20-cv-00069**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 30th day of November 2020, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. The motion to dismiss (Doc. No. 33) filed by Defendants Chiavacci, Diaz, Stanish, and Wexford is **GRANTED** with respect to Plaintiff's claims against Defendants Chiavacci, Diaz, and Wexford and **DENIED** with respect to his claims against Defendant Stanish;
2. The motion to dismiss (Doc. No. 36) filed by Defendants Mataloni, Stanishefski, and the DOC is **GRANTED** with respect to Plaintiff's claims against Defendants Mataloni and the DOC and **DENIED** with respect to his claims against Defendant Stanishefski;
3. The motion to dismiss (Doc. No. 60) filed by Defendant PHS is **GRANTED**;
4. The motions for summary judgment (Doc. Nos. 38, 42) filed by Defendants Chiavacci, Diaz, Stanish, Wexford, Mataloni, Stanishefski, and the DOC are **GRANTED** based upon Plaintiff's failure to exhaust his administrative remedies with respect to his claims pursuant to 42 U.S.C. § 1983 against Defendants Stanish and Stanishefski and **DENIED AS MOOT** with respect to Defendants Chiavacci, Diaz, Wexford, Mataloni, and the DOC;
5. The Clerk of Court is directed to enter judgment in favor of Defendants Stanish and Stanishefski and against Plaintiff Tyrone K. Glenn as to all of Plaintiff's claims asserted against them pursuant to 42 U.S.C. § 1983;
6. Plaintiff's claims against Defendant Yarczower are **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1) & 1915(e)(2)(B)(ii);
7. Plaintiff's medical malpractice claims against Defendants Stanishefski, Stanish, and Wexford are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3); and

8. The Clerk of Court is directed to **CLOSE** the above-captioned action.

s/ Yvette Kane

Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania